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DOCKET NO. 000308-804/TRWP121US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Applicant: **Eric L. Upton**
Serial No.: **10/636,007**
Filed: **August 7, 2003**
For: **SYSTEMS AND METHODS FOR A CONTINUOUSLY VARIABLE OPTICAL DELAY LINE**
Art Unit: **2874**
Examiner: **Unknown**

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. Pursuant to 37 C.F.R. 1.97 and 1.98, and in compliance with 37 C.F.R. 1.56, the Office's attention is directed to the patents, publications and other information listed on the attached PTO-1449. A copy of each listed document is enclosed except for: (a) pending applications (b) those previously cited or submitted to the Office in the following application(s) upon which this application relies for an earlier filing date under 35 U.S.C. 120(c), or (c) U.S. Patent(s) and published application(s) since the subject application was filed after June 30, 2003:

Serial No.: _____
Filing Date: _____

Regarding any document, publication or other information for which a date is not given on the attached PTO-1449, Applicant(s) believe(s) the same may qualify as "prior" art to this application and should be treated accordingly, although Applicant(s) reserve(s) the right to contest the prior art status of any document, publication or information, should issue arise.

2. Regarding each listed document that is not in the English language, an English-language translation accompanies this Statement as indicated on the attached PTO-1449 or a concise explanation of the relevance of the document is set forth in the following document(s):

- (a) ___ Copy of each English language version of a search report indicating the degree of relevance found by the foreign office of each document being submitted from the search report.
- (b) ___ Attachment entitled "Concise Explanation of Relevance of Non-English Language Documents".

3. Pursuant to 37 C.F.R. 1.97(b) this Statement is being filed (one must be checked):

- (a) ___ Within 3 months of the filing date or date of entry into the National Stage.
- (b) X Before the mailing date of a first Office Action on the merits. If this Statement is not filed before the mailing date of a first Office Action on the merits, the required certification is given below or, in the absence thereof, the Office is authorized to charge the required fee set forth in 37 C.F.R.

(c) ___ After the period set forth in 37 C.F.R. 1.97(b) but before the mailing date of either a final action or a notice of allowance.

(1) ___ The required certification is given below, or

(2) ___ Enclosed is a check covering the fee set forth in 37 C.F.R. 1.17(p) for consideration of this Statement.

(d) ___ After the mailing date of either a final action or a notice of allowance, but before payment of the issue fee. Petition hereby is made for consideration of this Statement and the required certification is indicated below.

(1) ___ Enclosed is a Credit Card Payment Form (PTO-2038) covering the fee set forth in 37 C.F.R. 1.17(i)(1), or

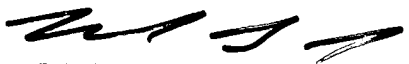
4. Certification (if applicable)

(a) ___ The undersigned hereby certifies that each item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this Statement.

(b) ___ The undersigned hereby certifies that no item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the undersigned's knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than 3 months prior to the filing of this Statement.

Respectfully Submitted,
AMIN & TUROCY, LLP

By



Himanshu S. Amin
Reg. No. 40,894

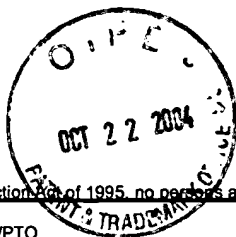
AMIN & TUROCY, LLP
24TH Floor, National City Center
1900 E. 9th Street
Cleveland, Ohio 44114

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Himanshu S. Amin



PTO/SB/08a (08-03)

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application Number	10/636,007
Filing Date	August 7, 2003
First Named Inventor	Eric L. Upton
Art Unit	
Examiner Name	2874
Attorney Docket Number	000308-804/TRWP121US

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 2003-142939 A1	07-31-2003	Giacomo Gorni, et al.	
		US-			
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FOREIGN PATENT DOCUMENTS

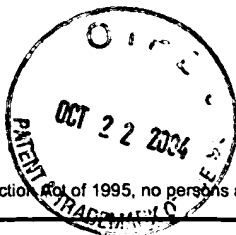
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		DE 33 30 059 A	02-28-1985	A.G. Siemens		
		EP 1 273 937 A	01-08-2003	Cavi E. Sistemi Pirelli		
		JP 2002311343 A	10-23-2002			
		JP 09014911 A	01-17-1997			

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Sheet 2 of 2

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		A. FRISCH; European Search Report; Munich, Germany; September 2, 2004	
		Patent Abstracts of Japan; vol. 2003, no. 02; February 5, 2003 & October 23, 2002; Fujitsu, Ltd.	
		Y. JEONG, et al.; Electrically Controllable Long-Period Liquid Crystal Fiber Gratings; IEEE Photonics Technology Letters; IEEE, Inc.; New York; vol. 12, no. 5; pp 519-521; May, 2000	
		V.G. CHIGRINOV; Liquid Crystal Devices for Fiber Optical Applications; Proceedings of the SPIE; SPIE, Bellingham, Virginia;	
		P. MACH, et al.; Optical devices based on tunable scattering material in air-silica microstructured fiber; Quantum electronics and Laser Science Conference; Quels, 2001; Postconference. Technical Digest; Baltimore, Maryland; May 6-11, 2001; Trends in Optics and Photonics; Washington D.C.; vol. 57; pp 167-168; May 6, 2001	
		P. MACH, et al.; Tunable Microfluidic Optical Fiber; Applied Physics Letters; American Institute of Physics; New York; vol. 80, no. 23, pp 4294-4296; June 10, 2002	
		C. KERBAGE, et al.; Tunable devices based on dynamic positioning of micro-fluids in micro-structured optical fiber; Optics Communications, North-Holland Publishing Co.; Amsterdam, NL; vol. 204, no. 1-6, pp 179-184; April 1, 2002	
		Patent Abstracts of Japan; vol. 1997, no. 05; May 30, 1997; Fuji Photo Optical Co., Ltd; January 17, 1997	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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